IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

Bail Appl..No. 1101 of 2007(M)

CRIME NO.47/07 OF THALIPARAMBA POLICE STATION

: PETITIONER/ACCUSED:

1. MUHAMMAD IQBAL, AGED 42 YEARS,
S/O.ABDULLA, CRESCENT, THALIPARAMBA,
AZAD NAGAR, TALIPARAMBA TALUK,
KANNUR DISTRICT.

2. RAFIQUE, AGED 20 YEARS,
S/O.KAMAL, KODIYIL HOUSE,
KAKKATHODE, THALIPARAMBA, THALIPARAMBA TALUK,
KANNUR DISTRICT.

BY ADV. SRI.PROMY KAPRAKKATT
SRI.K.N.ABHILASH

RESPONDENTS: COMPLAINANT:

THE STATE OF KERALA, REP. BY
THE SUB-INSPECTOR OF POLICE,
THALIPARAMBA POLICE STATION, KANNUR DISTRICT.
(THROUGH THE PUBLIC PROSECUTOR OF THE
HIGH COURT OF KERALA.)

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.1101 OF 2007

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DATED THIS THE 26th DAY OF FEBRUARY, 2007

O R D E R

Petitioners who are accused Nos.1 and 3 in Crime No.47/07 of Thaliparamba Police Station for offences punishable under sections 143, 147, 148, 148, 324 and 308 read with section 149 IPC, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application. The occurrence took place on 19.1.2007 at 9.30 PM on a public road where four persons were injured on being attacked with stone and stick. The other accused in the case surrendered before the Magistrate and were granted bail only after one week of their judicial custody.

3. Anticipatory bail cannot be granted in a case of this nature. However, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and then to have their application for bail considered by the Magistrate concerned. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 05.03.2007 and 07.03.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The petitioners shall thereafter be produced on the same day before the Magistrate having jurisdiction who shall consider

and dispose of the application for regular bail, if any filed by the petitioners for regular bail, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn